FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.4661 OF 2005
IN
CRIMINAL APPLICATION NO.4660 OF 2005

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mrs. G.P. Mulekar, APP. for the State.
Mr.R.S.Kate for the Resp.No.1 to 5.

CORAM : R.S. MOHITE,J.
DATED : 15/2/2006.

P.C.
1. Heard both sides.

2. For the reasons mentioned in the application and which are accepted, delay of 119 days is condoned. Application stands disposed off.

Cri.Application No.4660/2005

1. This is an application for grant of leave in filing the appeal against the order passed on 6.11.2004 by the II Adhoc Addl. Sessions Judge, Satara in Sessions Case No.15/2004 acquitting the accused of the offence punishable under Section 143,147,323 of the I.P.C. and

Sec. 3(1)(x) of the Atrocities Act and Sec. 7(1)(d) of the Protection of Civil Rights Act. On perusal of the impugned judgment and order it is seen that the same has been passed on cogent and acceptable reasons. The prosecution case is that complainant Ankush was resident of village Choundeshwar Taluka Koregaon. The accused persons were Hindu Gurav. The incident took place on 27.6.2003 at 8.30p.m. in Gat No.41 over the incident of ploughing of the land by the complainant. The accused abused the complainant by his caste and assaulted him by giving kicks and blows. The trial court has held that the relations between the prosecution witnesses and the accused were enmical. There is delay in lodging the complaint and that admittedly there was no medical evidence to support the allegations. The view taken by the trial court is a possible view. Hence,leave refused and consequently, the appeal is dismissed.

(R.S. MOHITE, J.)